

1 **CHRISTOPHER ASHWORTH (SBN 54889)**
2 **SILICON VALLEY LAW GROUP**
3 **A Law Corporation**
4 **25 Metro Drive, Suite 600**
5 **San Jose, CA 95110**
6 **Telephone: (408) 573-5700**
7 **Facsimile: (408) 573-5701**

8 **Attorneys for Defendants XET**
9 **Holdings Co., LLC, and Xslent**
10 **Technologies, LLC.**

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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 XS HOLDING B.V., et al.

16 Plaintiffs,

17 v.

18 COOL EARTH SOLAR, INC., et al.,

19 Defendants.

20 **Case No. C08 02282 PVT**

21 **CERTIFICATE OF SERVICE**

XS Holding B. V., et al. v. Cool Earth Solar, Inc., et al.
U. S. District Court, Northern District of California, Case No. C 08 02282 PVT

PROOF OF SERVICE

I declare as follows: I am over eighteen years of age and not a party to the within action; I am employed in the County of Santa Clara, California; my business address is 25 Metro Drive, Suite 600, San Jose, CA 95110.

On May 2, 2008, I served a true and correct copy of the following document[s], with all exhibits, if any, on the following party[ies]: **SUGGESTION OF PROBABLE ABSENCE OF SUBJECT MATTER JURISDICTION**

Paul Riehle
 Sedgwick, Detert, Moran & Arnold LLP
 One Market Plaza, 8th Floor
 San Francisco, CA 94105
 Email: paul.riehle@sdma.com

[XX] BY MAIL: I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I served the above document[s] on the party[ies] named above in the above-referenced matter, by following ordinary business practice, placing a true copy thereof enclosed in a sealed envelope, for collection and mailing with the United States Postal Service where it would be deposited for first class delivery, postage fully prepaid, in the United States Postal Service that same day in the ordinary course of business, addressed to the party[ies] at the address[es] listed above. [FRCP, Rule 5(b)].

[] BY EXPRESS MAIL: I served the above document[s] on the party[ies] named above, in the above-referenced matter, by placing the above-named document[s] in a sealed envelope and depositing them in a mailbox regularly maintained by the United States Postal Service for receipt of Express Mail, at Post Office, , California, with Express Mail postage thereon fully prepaid, addressed to the party[ies] at the address[es] listed above. []

[] BY FEDERAL EXPRESS: I served the above-named document[s] on the party[ies] named above, in the above-referenced matter, by depositing the above document[s] in a box or other facility regularly maintained by Federal Express, in an envelope or package designated by Federal Express, with delivery fees paid on prepaid account, addressed to the party[ies] at the address[es] listed above. []

[] BY FACSIMILE: On _____, by use of fax machine number [408] 573-7864 or [408] 573-5720, I served the above-named document[s] on the party[ies] named above, in the above-referenced matter, by transmitting by fax machine to each party's fax machine number listed above. The fax machine I used complied with California Rules of Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration. [FRCP, Rule 5(b)].

[XX] BY ELECTRONIC MAIL: On May 2, 2008, by use of electronic "email" address amt@svlg.com and via electronic case filing via the Northern District Court of California, I served the above-named document[s] on the party[ies] named above, in the above-referenced matter, by transmitting by electronic mail to each party's electronic "email" address listed above. The electronic "email" address I used complied with California Rules of Court, Rule 2.260, and no error was reported by the computer. Pursuant to California Rules of Court, Rule 2.260(c), I caused the computer to print a transmission record of the transmission, a copy of which is attached to this declaration.

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CERTIFICATE OF SERVICE

1 I declare under penalty of perjury under the laws of the state of California that the
2 foregoing is true and correct, and that this declaration was executed on May 2, 2008, at San Jose,
3 California.

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5 /s/ Alyssa Torres
Alyssa Torres
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